



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,586	01/28/2004	Minoru Hoshino	S004-5198	3850

7590 12/02/2004

ADAMS & WILKS  
ATTORNEYS AND COUNSELORS AT LAW  
50 BROADWAY  
31st FLOOR  
NEW YORK, NY 10004

EXAMINER

FERGUSON, MARISSA L

ART UNIT PAPER NUMBER

2854

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/766,586	<b>Applicant(s)</b> HOSHINO ET AL.	
	<b>Examiner</b> Marissa L Ferguson	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION*****Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the one-way clutch and a discharge roller partially brought into contact with the pressing member must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art ("AAPA") in view of Yoshizawa et al. (US Patent 2004/0017454).

AAPA teaches a printing apparatus (30) comprising printing means (32) for printing a printable layer of a thermally sensitive adhering sheet (21) constituted by respectively forming a printable layer on one face of a sheet-like base member and a thermally sensitive adhering agent layer on other face thereof and first transporting means for transporting the thermally sensitive adhering sheet in a predetermined direction (Page 2, last paragraph and Page 3, first paragraph), a cutter apparatus (41) provided at a poststage of the printing apparatus for cutting the thermally sensitive adhering sheet by a predetermined length (Page 2, last Paragraph and Figure 14) and a thermally activating apparatus (50) comprising heating means (51) arranged at a predetermined interval from a poststage of the cutter apparatus for heating the thermally sensitive adhering agent layer and second transporting means for transporting the thermally sensitive adhering sheet in the predetermined direction. However,

Art Unit: 2854

he does not explicitly disclose a third transporting means for transporting the thermally sensitive adhering sheet in the predetermined direction between the cutter apparatus and the thermally activating apparatus.

Yoshizawa et al. teaches a inkjet recording apparatus that discloses transporting means (71,72) that are located between the cutter (61) and heat activating apparatus (41). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention as taught by AAPA to include transporting means as taught by Yoshizawa et al., since Yoshizawa et al. teaches that it is advantageous to provide an allowance of slack in order to prevent paper jam.

3. Claims 2-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art ("AAPA") in view of Yoshizawa et al. (US Publication 2004/0017454) as applied to claim 1 above, further in view of Watanabe (US Patent 5,210,547).

AAPA and Yoshizawa et al. both teach the invention except for a third transporting means that is one or two or more of discharge rollers connected to a drive mechanism via a one-way clutch, wherein a sensitive adhering sheet is sandwiched between the discharge roller and a pressing member and the thermally sensitive adhering sheet is transported in the predetermined direction by driving to rotate the discharge roller. Watanabe teaches a thermal transport system with a discharge roller (27) connected to gears (61-64) via a one-way clutch (71) and a pressing/auxiliary roller (28) that transports a sheet in a predetermined direction (Column 7, Lines 51-68).

Art Unit: 2854

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to further modify the invention as taught by AAPA to include discharge rollers as taught by Watanabe, since Watanabe teaches that is advantageous to efficiently transmit power to the discharge roller via a drive system.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L Ferguson whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marissa L Ferguson  
Examiner  
Art Unit 2854

*HLF*  
\*\*\*



ANDREW H. HIRSHFELD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800